
Z-2261
LAFAYETTE BOTTLED GAS
AA TO A

STAFF REPORT
September 15, 2005

Z-2261
LAFAYETTE BOTTLED GAS
AA to A

Staff Report
September 15, 2005

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by Joe Bumbleburg of the Ball Law Firm with consent of owners Lee Brand and Scott Brand is requesting rezoning of proposed lot 1 in Brand Minor Subdivision, located on the south side of Hoover Street, near the street's dead-end at the railroad tracks outside of the unincorporated town of Montmorenci, Shelby 6 (NW) 23-5. Petitioner plans to install an L.P. gas storage tank on site. If this rezone request is successful, a special exception for "liquefied petroleum gas (bottled gas) dealers" (SIC 5984) will be heard at the October ABZA meeting (BZA-1694).

ZONING HISTORY AND AREA ZONING PATTERNS:

The site is currently zoned AA, Select Agricultural as is all surrounding property except a sliver of land to the east between US 52 and Hoover Road (Oxford Street in Montmorenci), which is zoned GB, General Business. Farther to the southeast approximately 700', lots on the south side of Oxford Street are zoned R1.

The original Shelby Township zoning map shows this property zoned Agricultural. The 1986 Township-wide rezoning (Z-1263), which included a separate new map for Montmorenci and its fringe area also showed this land zoned Agricultural. This new map proposal received a recommendation of approval from the APC, but was not approved by the County Commissioners (the motion to hear the request died for lack of a second). Then in 1987, a second Shelby Township/Montmorenci overall rezone request was heard (Z-1331); this new Montmorenci zoning map showed the fringe area including the site in question zoned AA. The County Commissioners approved this second attempt at the Township-wide rezoning of Shelby Township in January 1988.

The existing wedge of GB zoning across the street to the northeast, was rezoned from AA in 1997 (ABC-U-Store, Inc., Z-1702) for a proposed mini-storage/convenience store business.

AREA LAND USE PATTERNS:

The site in question is one acre out of a larger farm field in crop production. Adjacent to the east are grain storage bins, across the road and to the east is an old grain elevator and assorted buildings associated with that use. Hoover Road dead-ends in the middle of this lot's front property line, and the railroad tracks separate this site from US 52. Currently a landscape business located within the GB zoned area to the northeast uses the area immediately across Hoover Road and also the road itself, to store small piles of

mulch and dirt. The County Highway Department also uses the area across the road in the winter to store sand and salt for county trucks, so that they can reload without having to drive back to the main county storage facility.

TRAFFIC AND TRANSPORTATION:

Hoover Road did at one time cross the railroad tracks and connect to US 52; but for many years that crossing has been closed and the road simply comes to a dead-end as mentioned above. Petitioner plans to access the property westbound on Hoover Road, then loop around on the site, fill the company's bottled gas trucks, then exit eastbound using a 20' off-site ingress-egress easement that leads back to Hoover Road.

Parking standards for an L.P. gas dealer are one space per employee on the largest shift, plus 1 per 200 square feet of office, sales, or similar floor area. Because no building is proposed at this site and no employees will be working here, no parking is necessary to meet the ordinance standard.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Because no buildings or offices are planned for this site, no septic system or well is needed.

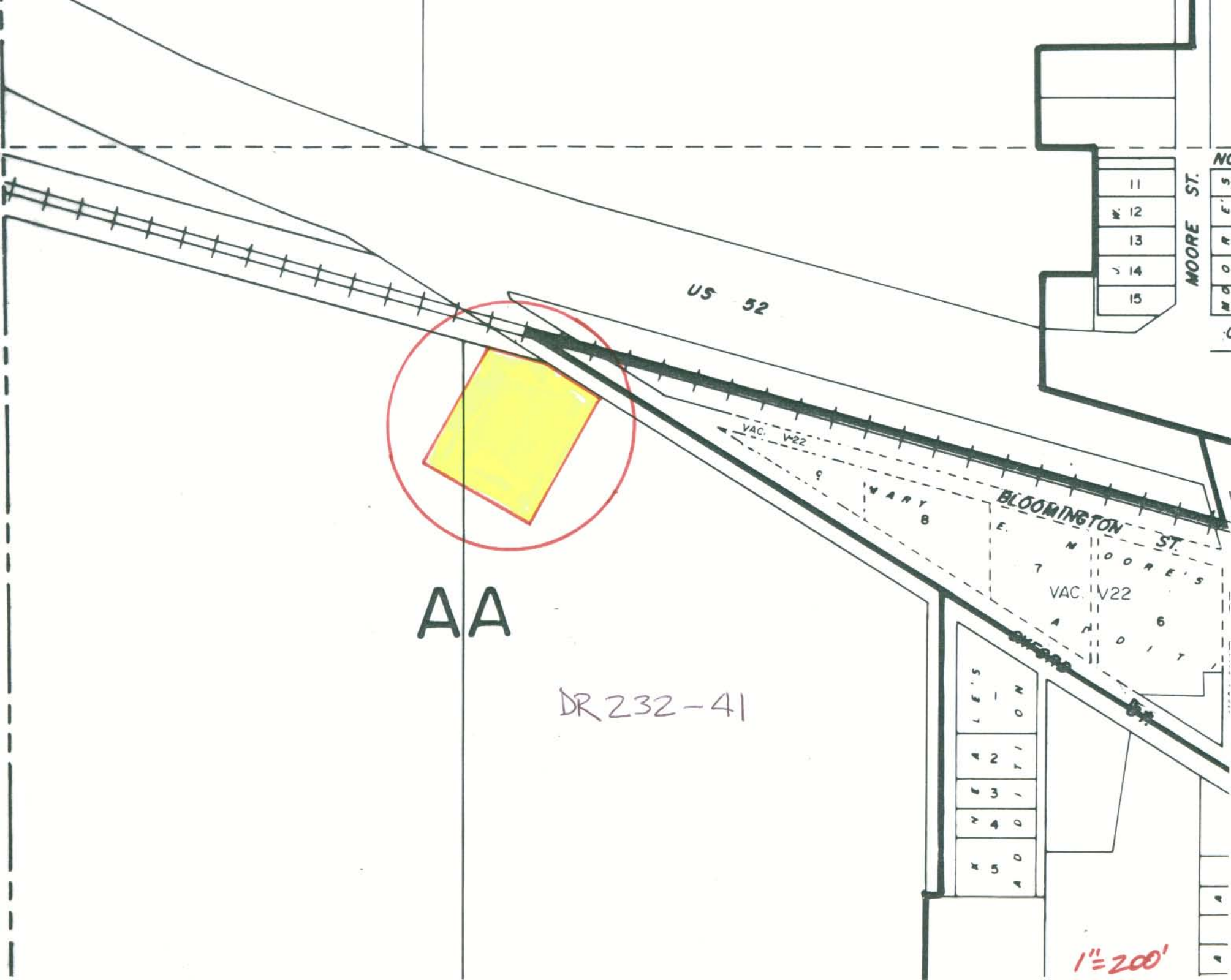
STAFF COMMENTS:

Although the *Comprehensive Plan* shows this area as having a Select Agricultural future, this particular one acre lot, according to the *Soil Survey of Tippecanoe County, Indiana* lies at the confluence of three different soil types, only one of which (Drummer, 155 bushels/acre) produces high yields in corn production. The other two soil types, Peotone (60 bushels/acre) and Toronto-Melbrook (135 bushels/acre) are considered low to moderate for crop production.

This site is ideal for a bottled gas storage facility. It is located at the end of a dead-end road, adjacent to grain bins and an old grain elevator, with piles of mulch or salt (depending on the season) across the street. It is approximately 700' away from the nearest residential uses in Montmorenci, an adequate distance to separate potentially incompatible uses. And finally, the one-acre size of this lot is the smallest area that could be divided per the Unified Subdivision Ordinance, taking the smallest possible amount of land out of crop production.

STAFF RECOMMENDATION:

Approval



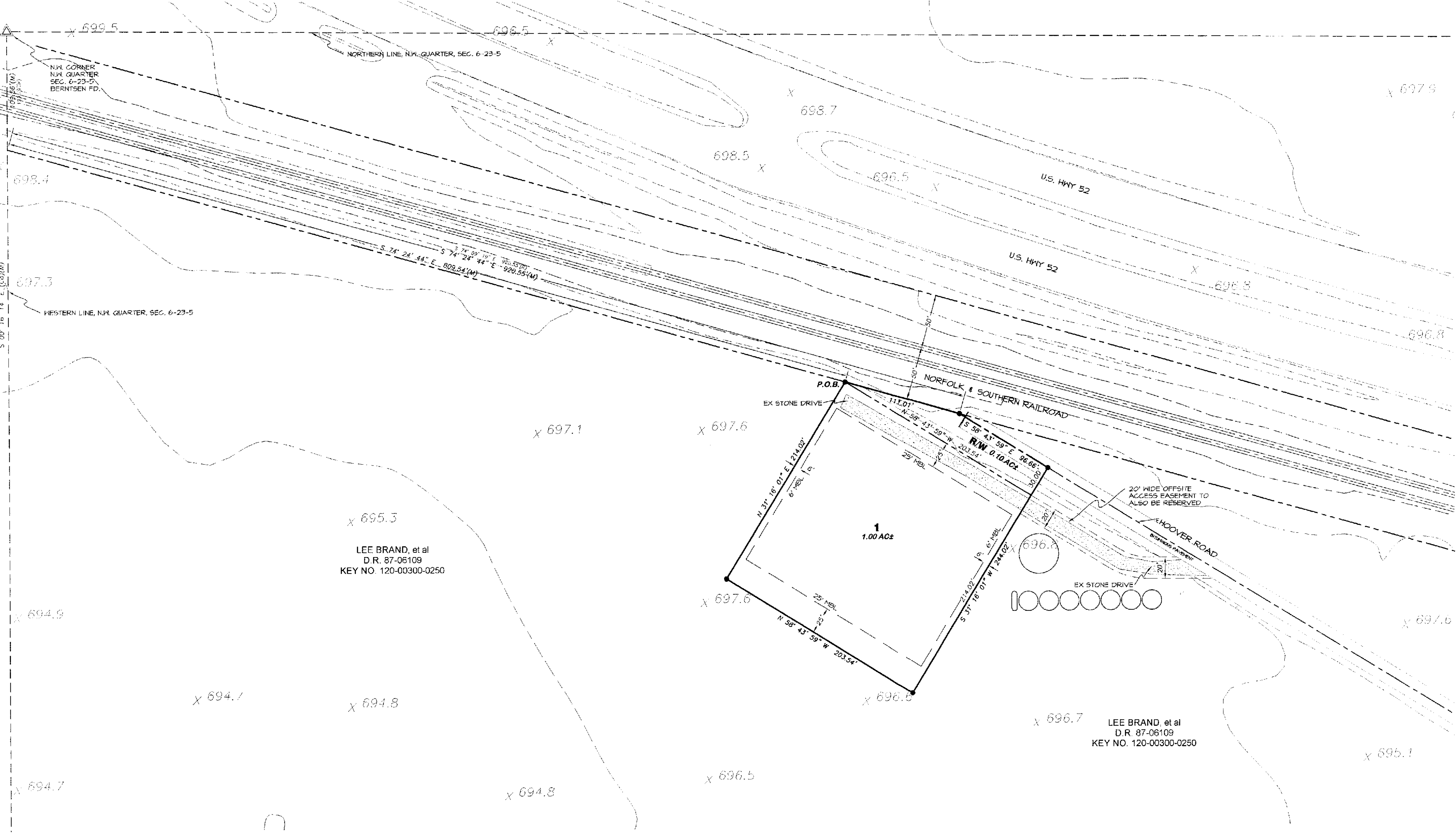
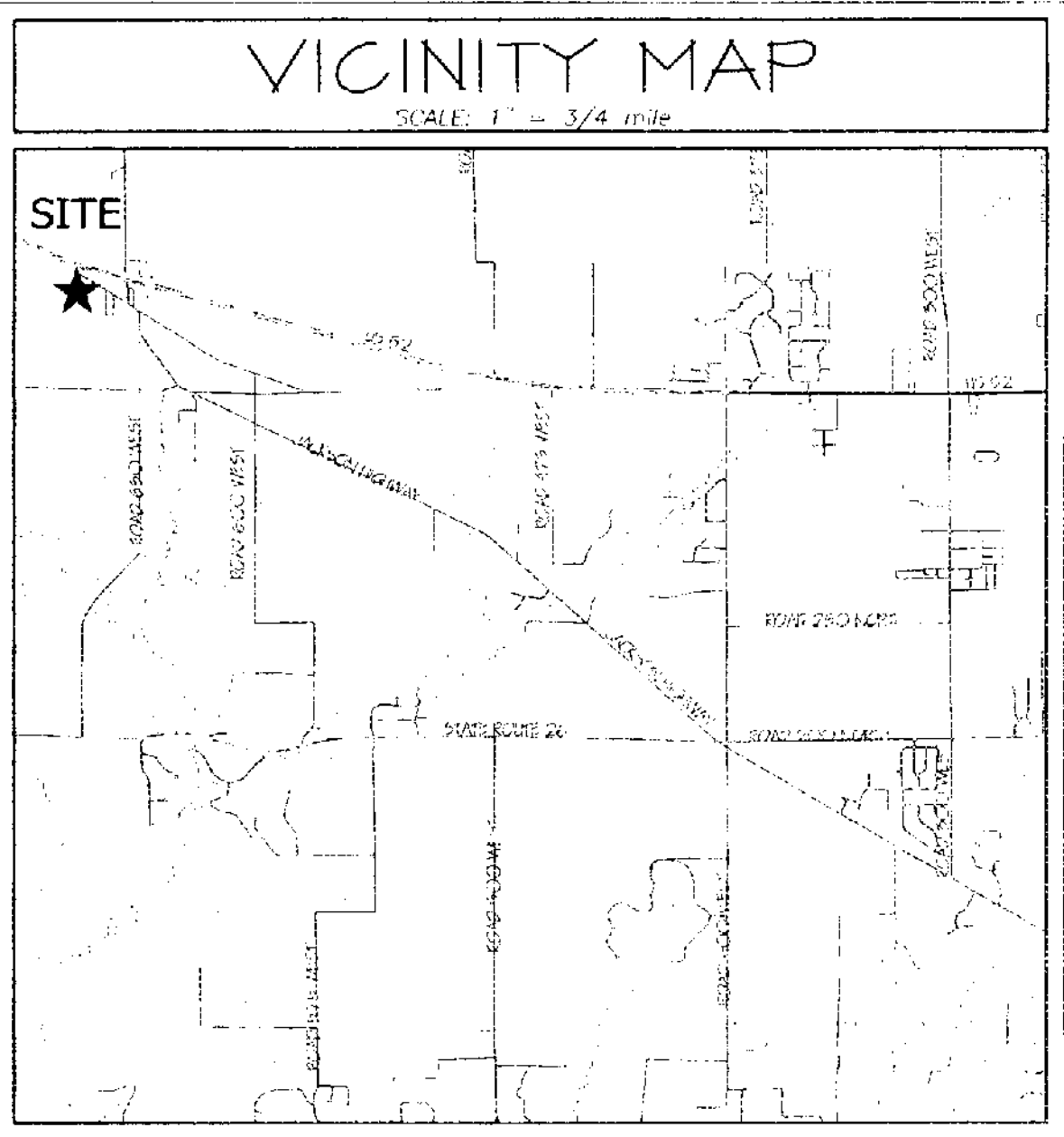
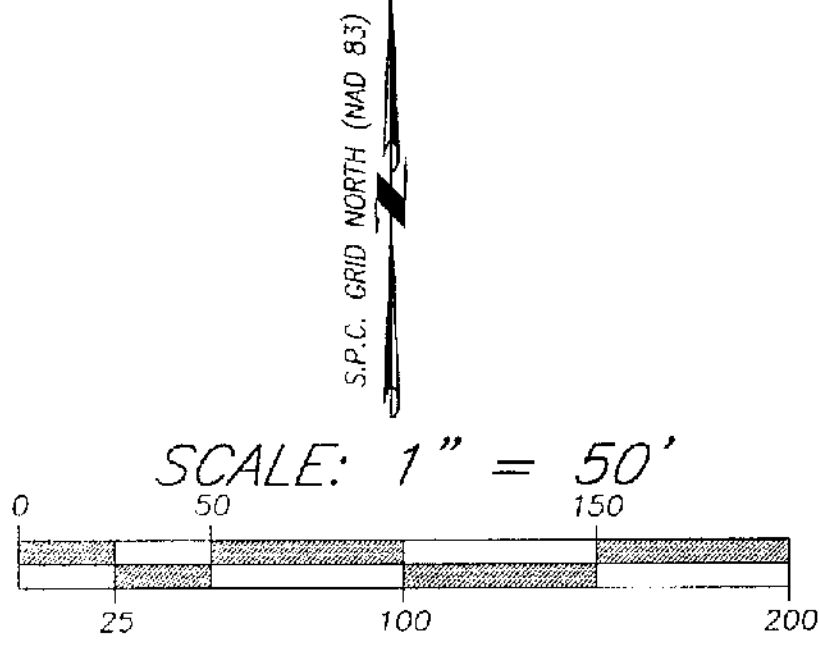
AA

DR 232-41

1"=200'

SKETCH PLAN

Brand Minor Subdivision - Shelby Township



DESCRIPTION:

A part of the real estate conveyed to Lee A. Brand, et al, as recorded in Coca Record 87-06109 in the Office of the Recorder for Tippecanoe County, Indiana, being a part of the Northwest Quarter of Section 6, Township 23 North, Range 5 West, in Shelby Township, Tippecanoe County, Indiana, and being more particularly described as follows:

Commencing at a Berntsen monument marking the northwestern corner of the said Northwest Quarter, thence South 0° 16' 14" East (basis of bearing) along the western line of the said Northwest Quarter for 109.56 feet to the southern right-of-way line of the Norfolk and Southern Railroad, thence South 74° 24' 44" East along the said railroad right-of-way line for 809.54 feet to a capped rebar at the POINT OF BEGINNING, thence continuing South 74° 24' 44" East along the said railroad right-of-way line for 111.01 feet to a capped rebar at the westward extension of the centerline of Hoover Road, thence South 58° 43' 59" East along the said centerline and westward extension thereof, for 96.66 feet, thence South 31° 16' 01" West for 244.02 feet, thence North 55° 43' 59" West for 203.54 feet, thence North 31° 16' 01" East for 214.02 feet to the point of beginning, containing 1.10 acres, more or less.

Owner(s): Lee A. Brand, et al
Tax Key No(s): 120-00300-0250
Deed Record(s): D.R. 87-06109
Land Area: 1.10 AC±
R/W Area: 0.10 AC±
Net Area: 1.00 AC±



C&S ENGINEERING
Civil Engineers • Land Surveyors

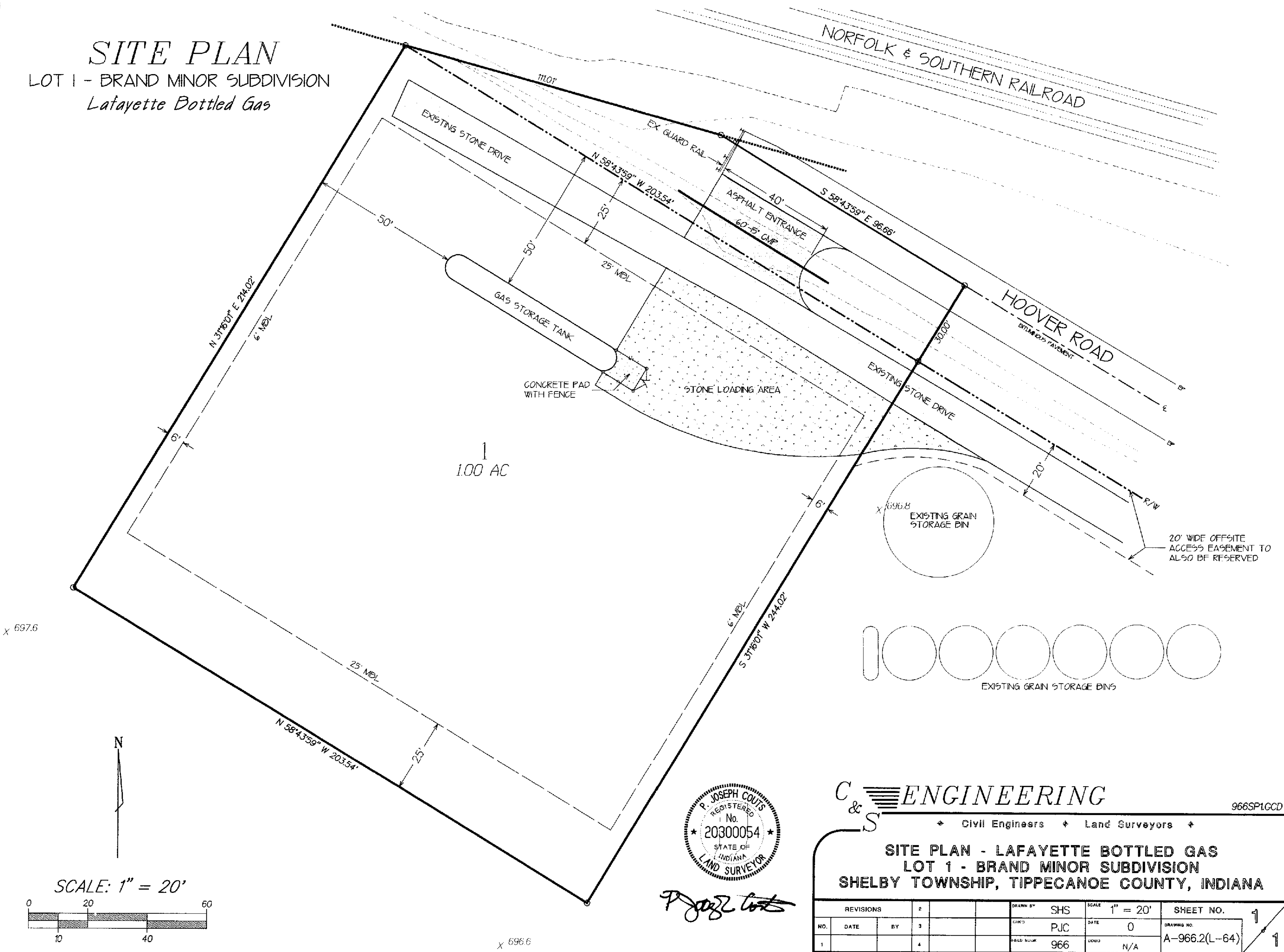
SKETCH PLAN - BRAND MINOR SUBDIVISION
N.W. QUARTER, SEC. 6, T23N, R5W
SHELBY TOWNSHIP, TIPPECANOE COUNTY, INDIANA

REVISIONS				DRAWN BY		SCALE		Sheet Number	
NO.	DATE	BY		CHK'D.	PJC	DATE	8/08/05	DRAWING NO.	1
1		4		FIELD BOOK	966	CODE	966TR.CCC	A-966.1(L-64)	1

BRAND

SITE PLAN

LOT 1 - BRAND MINOR SUBDIVISION
Lafayette Bottled Gas



C & S ENGINEERING
Civil Engineers • Land Surveyors •

SITE PLAN - LAFAYETTE BOTTLED GAS
LOT 1 - BRAND MINOR SUBDIVISION
SHELBY TOWNSHIP, TIPPECANOE COUNTY, INDIANA

REVISIONS				2			DRAWN BY	SHS	SCALE	1" = 20'	SHEET NO.	1
NO.	DATE	BY		3			CHK'D	PJC	DATE	0	DRAWING NO.	1
1				4			FIELD BOOK	966	DATE	N/A	A-966.2(L-64)	1

1719 Monon Avenue, Lafayette, IN 47904 PH:(765)429-4191 FAX:(765)429-4194

BRAND Sm